

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

KOREA EXCHANGE BANK, et al.,

Defendant.

Adv. Pro. No. 11-02572 (CGM)

**DECLARATION OF RICHARD A. CIRILLO IN SUPPORT OF  
MOTION TO DISMISS BY KOREA EXCHANGE BANK**

State of New York    )  
                                  ) ss.:  
County of Queens    )

RICHARD A. CIRILLO declares as follows.

1. I am an attorney at law admitted to the courts of the State of New York and represent defendant Korea Exchange Bank in this adversary proceeding. I make this declaration on personal knowledge in support of the motion to dismiss the complaint in this adversary proceeding made on May 16, 2022.

2. Attached as Exhibit A is a true and correct copy of an Indirect Investor Customer Claim submitted by defendant Korea Exchange Bank as Trustee of Korea Global All Asset Trust I-1 on or about July 1, 2009, to which Claim # 014622 was assigned, together with the documents attached thereto, as the claim and attachments were provided to me by the plaintiff's attorneys on May 18, 2012.

3. Attached as Exhibit B is a true and correct copy of an Indirect Investor Customer Claim submitted by defendant Korea Exchange Bank, on behalf of Tams Rainbow Trust on or about July 1, 2009, to which Claim # 015071 assigned, together with the documents attached thereto, as the claim and attachments were provided to me by the plaintiff's attorneys on May 18, 2012.

4. Attached as Exhibit C is copy of a Notice of Trustee's Determination of Claim dated December 8, 2009, addressed by Irving H. Picard, Trustee for the Liquidation of the Business of Bernard L. Madoff Investment Securities LLC to Korea Exchange Bank as Trustee of Korea All Asset Trust I-1. Upon information and belief, Mr. Picard sent identical letters to Korea Exchange Bank with respect to Claim ## 014622 and 015071.

5. Declared under the penalties of perjury this 16<sup>th</sup> day of May, 2022.



Richard A. Cirillo